THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.658 of 2006

-

25.01.2006

Between:

Smt.G.Venkata Ratnam, W/o.Koteswara Naidu

... Petitioner

AND

The District Collector, Visakhapatnam

And others

...Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.658 of 2006

ORDER:

The petitioner claims that she has purchased an extent of 280 Sq. yards of land in survey No.125/1 of Pendurthi village from S.Varahalu Setty under registered sale deed dated 29.1.2001. The petitioner raised constructions and was assessed to property tax vide assessment No.3273. She alleges that on 06.1.2006, the officials from the office of the third respondent came to the premises and while informing that the property belongs to the Government, directed the petitioner to vacate the premises threatening to demolish the same. The petitioner was not issued any notice and therefore, the present writ petition is filed.

Heard the learned Counsel for petitioner, learned Assistant Government Pleader for Revenue and learned Assistant Government Pleader for Panchayat Raj. Both the Assistant Government Pleaders denied the allegations made by the petitioner. Be that as it is, if the petitioner is in possession of the property, which she purchased from S.Varahalu Setty and raised constructions thereon, even if it is Government land, unless and until a notice is issued under the provisions of A.P. Land Encroachment Act, 1906 or other relevant law, the respondents herein cannot take any coercive steps contrary to rule of law. Therefore, the writ petition is disposed of, observing that unless and until the petitioner is issued a notice, she cannot be

dispossessed from the premises.

The writ petition, with the above observation, is accordingly disposed of. No costs.

_____

(**V.V.S.RAO, J**)

January 25, 2006.

YS